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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 JEFFREY B. GUINN,

16 Appellant.

17 CDR INVESTMENTS, LLC, a Nevada
18 limited liability company; DONNA A.
19 RUTHE, as trustee for the CHARLES L.
20 RUTHE TRUST and on behalf of his
21 Individual Retirement Account; DONNA
22 A. RUTHE, in her representative capacity
23 as trustee for the FRANK E. GRANIERI
24 REVOCABLE LIVING TRUST,

25 Respondents,

26 Case No. BK-S-13-18986-BTB
27 CHAPTER 7

28 Adversary No. BK-S-14-01007-BTB

Case No. 2:19-cv-00649-JAD

13 **STIPULATION TO EXTEND BRIEFING
14 SCHEDULE FOR APPEAL DUE TO
15 COVID-19 PANDEMIC**

16 **(Fourth Request)**

17 **ORDER**

18 Respondents CDR INVESTMENTS, LLC, a Nevada limited liability company; DONNA
19 A. RUTHE, as trustee for the CHARLES L. RUTHE TRUST and on behalf of his Individual
20 Retirement Account; DONNA A. RUTHE, in her representative capacity as trustee for the
21 FRANK E. GRANIERI REVOCABLE LIVING TRUST (collectively, the “Respondents”), by
22 and through their attorneys of record, the law offices of Sylvester & Polednak, Ltd., and

1 Appellant JEFFREY B. GUINN (“Appellant”), by and through his attorneys of record Bailey
2 Kennedy, hereby STIPULATE AND AGREE to continue the Answering Brief and Reply Brief
3 deadlines in the appeal fourteen (14) days, as follows:

- 4 1. A National Emergency related to the impact of the COVID-19 global
5 pandemic has been declared along with emergency declarations by several
6 states across the United States, including Nevada.
- 7 2. The Parties, their counsel, and all related individuals are focused, first and
8 foremost, on health and safety matters during this global pandemic and each
9 Party has had issues with limited staffing and resources, limited access to
10 files and other resources, and other hurdles related to social distancing and
11 business and school closures, and more recently summer camp closures.
- 12 3. Most, if not all, state courts and all federal courts in Nevada have recognized
13 the need for stays/postponements of litigation matters and cases.
- 14 4. Undersigned counsel, who is responsible for the Answering Brief, was
15 working remotely to achieve social distancing objectives until very recently
16 on April 29. While he was able to complete certain tasks, he could not work
17 nearly as efficiently as he was able to do from his office. Furthermore,
18 during his time working remotely, undersigned counsel was limited in his
19 ability to confer with other attorneys responsible for this matter.
- 20 5. Beginning on or about July 1, 2020, undersigned counsel’s legal assistant
21 who is assisting with the Answering Brief resumed working remotely, in
22 light of the COVID-19 pandemic, creating further efficiency in completing
23 the Answering Brief on or before the current deadline.

6. Furthermore, several other briefing deadlines and matters being argued on shortened time in state court within undersigned counsel's caseload have created scheduling conflicts in meeting the Answering Brief deadline.

7. Moreover, the Memorandum Decision in this appeal is quite lengthy (115 pages). The underlying adversary proceeding trial was three weeks long. And as shown by the Designation of Record and Statement on Appeal [Dkt. # 463], there are numerous relevant exhibits. Thus, this appeal is more complicated than a typical adversary proceeding appeal.

8. Due to the above, the Parties respectfully request an extension to the current briefing schedule, moving all dates back fourteen (14) days, as follows:

- Answering Brief deadline extended to July 22, 2020; and
 - Reply Brief deadline extended to August 21, 2020.

IT IS SO STIPULATED.

DATED this 6th day of July, 2020.
SYLVESTER & POLEDNAK, LTD.

DATED this 6th day of July, 2020.
BAILEY KENNEDY

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IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE
DATED: 7/7/2020